

EXHIBIT A



MASSEY ENERGY

MEMORANDUM

CONFIDENTIAL – ATTORNEY CLIENT PRIVILEGED
COMMUNICATION/PRIVILEGED AND CONFIDENTIAL

TO: Don Blankenship

FROM: Shane Harvey *MSH*

DATE: June 7, 2010

SUBJECT: Violation information

FAXED
JUN - 7 2010

Please see the attached information.

cc: Chris Adkins

MEMORANDUM

TO: Shane Harvey
FROM: Chris Blanchard
DATE: June 7th, 2010
SUBJECT: UBB Violations

53% of D Orders and 24% of ventilation violations received at UBB in 2009 and 2010 were caused directly from following the complex ventilation scheme mandated by MSHA.

Orders

- 55 total D Orders were written from 2009 through March 31st, 2010.
- 34 of 55 (62%) were written under 75.300. Broadly this is referred to as the ventilation section of the law. However it includes escape ways, examinations and permissibility as well.
- 17 of the 34 (50%) were for ‘true’ ventilation issues.
- 9 of 17 (53%) orders were direct results of the unfamiliar and complex ventilation scheme.

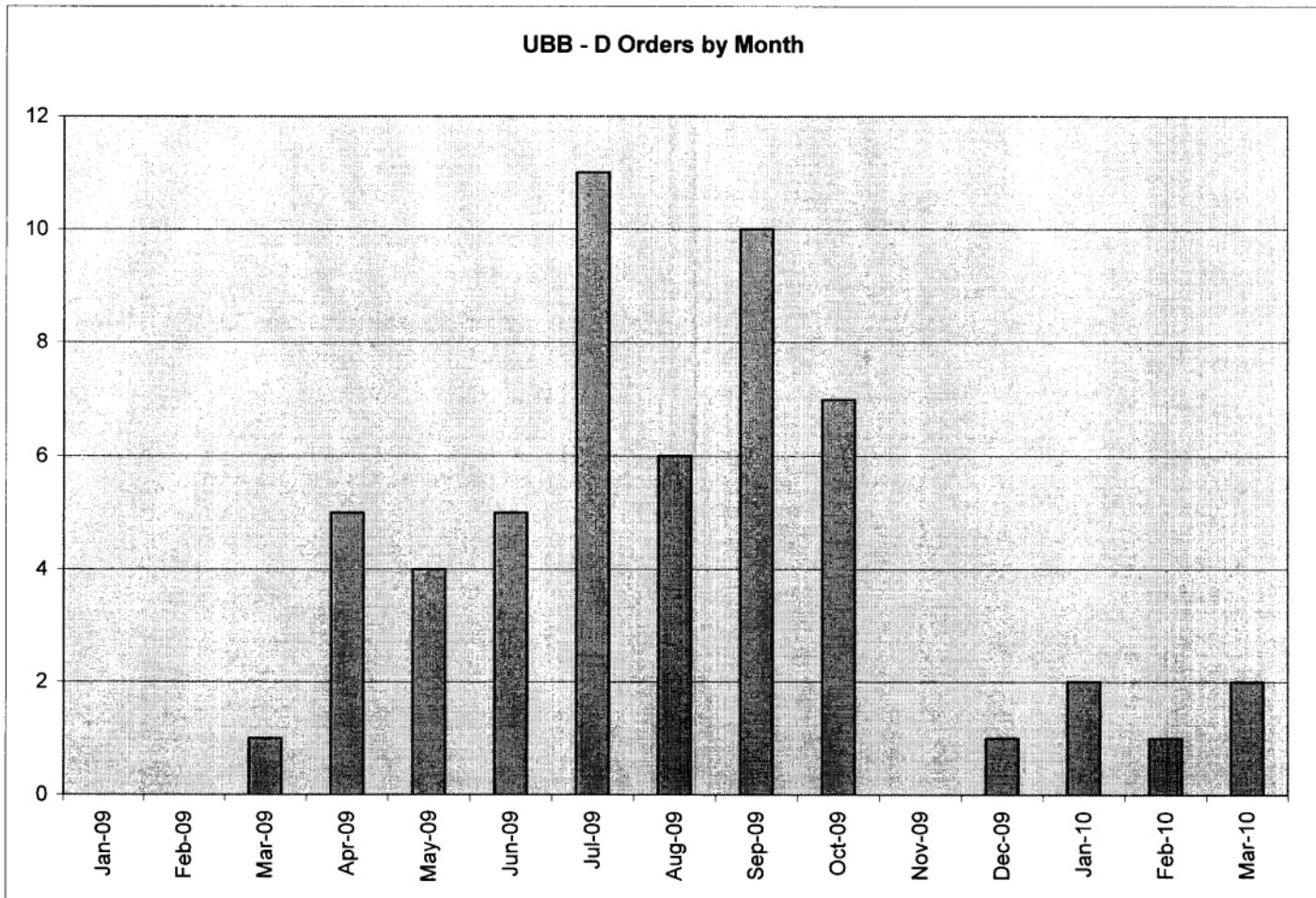
Violations

- 220 total violations under 75.300.
- 100 of 220 (45%) were for ‘true’ ventilation issues.
- 24 of 100 (24%) were due to the MSHA mandated ventilation plans.

The high percentage of orders and violations attributable to the ventilation scheme of MSHA is due to the complexity of routing our returns, our inability to use belt air in the face, maintenance of stoppings inby the longwall and forced waste of intake air on the tailgate of the longwall.

Please also see attached a simple chart which shows the D Orders issued by month for 2009 and 2010. Graphically you can see the impact of our Hazard Elimination Program and the full time assignment of two safety directors at UBB in late September 2010.

Please advise if you need any additional information.



*** TX REPORT ***

TRANSMISSION OK

TX/RX NO	2574
CONNECTION TEL	916063530935
SUBADDRESS	
CONNECTION ID	DON BLANKENSHIP
ST. TIME	06/07 12:34
USAGE T	03 '21
PGS. SENT	3
RESULT	OK



MASSEY ENERGY

MEMORANDUM

CONFIDENTIAL – ATTORNEY CLIENT PRIVILEGED
COMMUNICATION/PRIVILEGED AND CONFIDENTIAL

TO: Don Blankenship
FROM: Shane Harvey *MSH*
DATE: June 7, 2010
SUBJECT: Violation information

Please see the attached information.

cc: Chris Adkins